IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 29220 of 1997

Between:

1 P.Mallesh, S/o. P.Kashanna, R/o. Nellikonda, Nagarkurnool.
2 CVh.Laxmaiah, Minor Rep., by his Natural guardian & Father Mr.Ch.Narayana, R/o. Manthati, Nagarkurnool.
3 G.Surender Goud, Rep., by his Natural guardian & Father G.Krishnaiah Goud, R/o. Tharnical, Kalwakurthy.
4 G.Ramulu, Minor Rep., by his natural guardian & Father Mr.G.Yerranna, R/o. Thudukurthy, Nagarkurnool.
5 K.Shoba Rani, Rep., by her natural guardian & father Mr.K.Nagaiah Goud, R/o. Peddapally, Telkapally Mandal.
6 G.Swapna, Minor Rep., by her natural guardian & father Mr.G.Buchaiah, R/o. Yendabetla, Nagarkurnool Mandal.
7 V.Sravanthi, Minor Rep.,by her natural guardian&Father Mr.Pakeeraiah Goud R/o. Yendabetla, Nagarkurnool Mandal.
8 K.Ravi Kumar, Minor Rep., by her natural guardian & father Mr.K.Swamy, R/o. Kondur, Veepangandla Mandal.
9 K.Anjaneyulu, Minor Rep.,by her natural guardian&Father K.Jangaiah, R/o. Cherlapally, Tadoor Mandal.
10 G.Suvarna, Rep., by her natural guardian & Father Mr.G.Ramachandraiah, Nagarkurnool.
11 G.Sunitha, Rep.,by her natural guardian&Father Mr.G.Rama Chandraiah, R/o. Nagarkurnool.
12 T.Shailaja, Minor Rep., by her Natural Guardian & Father Mr.T.Prabhakar, R/o. Nagarkurnool.
13 P.Bheemamma, Minor Rep., by her natural guardian & Father Mr.P.Eshwaraiah R/o. Laxmapur, Uppununthala.
14 H.Shivaleela, Minor Rep., by her natural guardian & Father Mr.H.Kurumaiah, R/o. Wanaparthy.
15 D.Vijaya Kumari, Minor Rep., by her natural guardian & Father Mr.D.Jangaiah, R/o. Ley-Mamidi, Kesampeta Mandal, Mahabubnagar District.
16 H.Shiva Jyothi, Minor Rep., by her natural guardian & Father Mr.H.Kurumaiah, R/o. Wanaparthy.
17 B.Jeevan Kumar, Minor REp., by his natural guardian & Father Mr.B.Venkataiah R/o. Tharanikal, Kalwakurthy.
18 P.Gnaneswar Rao, Minor Rep., by its natural guardian & Father Mr.P.Bheem Rao, R/o. Palem, Bijinapally Mandal.
19 S.Hanumanth, Minor rep., by his natural guardian & Father Mr.S.Balaiah, R/o. Boyapur, Bijinapally.

20 P.Sreenivasulu, Minor Rep., by his natural guardian & Father Mr.P.Laxmaiah, R/o. Manthati, Nagarkurnoo.
21 M.Ramkumar, Minor Rep., by his natural guardian & Father Mr.M.Anjaneyulu R/o. Cherla Itikyala, Nagarkurnool.
22 Thirupathaiah, Minor Rep., by his natural guardian & Father Buchaiah, R/o. Yadireddypalle, Taddor Mandal.
23 A.Seetaram, Minor Rep., by his natural guardian & Father Mr.Bucha Nayak, R/o. Gangaram, Bijinapally.

(All the petitioners are students of Aditya Junior College, Nagarkurnool, 509 209, Mahabubnagar District.)

..... PETITIONERS

AND

1 Secretary, Board of Intermediate Education, Andhra Pradesh, Hyderabad.
2 Secretary to the Government of Andhra Pradesh, Higher Education, Secretariat, Hyderabad.
3 Principal Secretary to the Government of Andhra Pradesh, Secretariat, Hyderabad.
(Disd for default as per court order dt.4.6.2000 as against R3)
4 Commissioner, Social Welfare of Andhra Pradesh, Hyderabad.
5 Principal, Aditya Junior College, Nagarkurnool - 509 209, Mahabubnagar District.
6 Commissioner, Backward Welfare of Andhra Pradesh, Hyderabad.
7 Commissioner, Tribal Welfare of Andhra Pradesh, Hyderabad.
8 Deputy Director of Social Welfare, Mahaboobnagar District.
9 District Social Welfare Officer, Back Ward Class Welfare, Mahaboobnagar.
10 District Social Welfare OFficer, Tribal Welfare Department, Mahaboob Nagar District,

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the action of the first Respondent in not extending to the petitioners concessins such as Post - Matric Scholarships, Bus passes etc., by incorporating the said condition in clause No.15 of the Provisinal Affiliation in Proceedings Rc.No. 3/MBNR/E4/1996-97, dated 6.11.96, as illegal, unconstitutional and arbitrary

Counsel for the Petitioners: MR.PRABHAKAR SRIPADA

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following :

THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 29220 of 1997

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader.

This writ petition is filed seeking to declare the action of the first respondent in not extending to the petitioners who are the students of Aditya Junior College, Nagarkurnool, Mahabubnagar District, the concessions such as post-matric scholarships, bus passes etc., by incorporating a condition to that effect in Clause No.15 of the Provisional Affiliation to Aditya Junior College, in proceedings Rc.No.3/MBNR/E4/ 1996-97, dated 06-11-1996, as illegal, unconstitutional and arbitrary.

A counter-affidavit is filed on behalf of the respondents stating that as per the instructions of the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, post-matric scholarships have been sanctioned to ten SC students of Aditya Junior College, Nagarkurnool vide District Social Welfare Officer, Mahaboobnagar Procgs.B2/258/98, dated 27-3-1998 and 30-3-1998 whose annual income is within the eligibility. The remaining one SC candidate could not be sanctioned the post-matric scholarship due to excess annual income.

In view of the above averments in the counter-affidavit filed on behalf of the respondents, no orders are required to be passed in this writ petition.

Accordingly, the writ petition is dismissed. No costs.

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N.V. RAMANA, J

Date: 30-3-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Secretary, Board of Intermediate Education,
Andhra Pradesh, Hyderabad.
2 Secretary to the Government of Andhra Pradesh, Higher Education,
Secretariat, Hyderabad.
3 Principal Secretary to the Government of Andhra Pradesh,
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8 Deputy Director of Social Welfare,
Mahaboobnagar District.
9 District Social Welfare Officer, Back Ward Class Welfare,
Mahaboobnagar.
10 District Social Welfare OFficer, Tribal Welfare Department,
Mahaboob Nagar District,

11 Two Ccs. to the Government Pleader for Higher Education, High Court Buildings, A.P., Hyderabad (OUT).

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